

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.
BAF-16402/29

In Re Application Of: Ferree

MAY 13 2005

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/652,842	08/29/2003	S. Jackson	25006	3738	2836

Invention: CEMENTED ARTIFICIAL DISC REPLACEMENT

05/16/2005 MAHMEDI 00000036 10652842
02 FC:2251 60.00 DP

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated January 10, 2005 finally rejecting Claim(s) 1-33

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month Two months Three months Four months Five months

from: April 10, 2005 Date _____ until: May 10, 2005 Date _____

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$250.00

Fee for Extension of Time: \$60.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$310.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

- A check in the amount of \$310.00 for the Notice of Appeal and extension of time is enclosed.

Please charge Deposit Account No. in the amount of

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 07-1180 | 05/16/2005 MAHMED1 00000036 10652842

<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.	01 FC:2401	250.00	OP
<input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.			

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 07-1180

Payment by credit card. Form PTO-2038 is attached.

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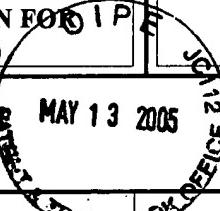
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TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

Signature

Dated: May 10, 2005

John G. Posa
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Certificate of Transmission by Facsimile*

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John G. Posa
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

5/10/05

(Date)

Sheryl L. Hammer

Signature of Person Mailing Correspondence

Sheryl L. Hammer

Sheryl L. Hammer
Typed or Printed Name of Person Mailing Correspondence

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CC: